

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA



CLERK'S OFFICE GENERAL INFORMATION & CIVIL FILING PROCEDURES

(Revised: October 21, 2011)

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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

PART I: GENERAL CLERK'S OFFICE INFORMATION

I. LOCATION, HOURS AND TELEPHONE NUMBERS

A. LOCATION

1. The Clerk's Office is located on the first floor of the E. Barrett Prettyman United States Courthouse at 333 Constitution Avenue, NW, Washington, DC 20001, near the Judiciary Square Metro Station (Red Line).

B. HOURS

1. Documents and/or disks may be filed in person in the Files and Copy Room (Room 1225) between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday, except legal holidays.
2. A speedy filing box is available at the Third Street entrance of the courthouse 24 hours a day, seven days a week. An electronic clock is used to time and date stamp all papers submitted. All papers/CDs received before midnight will be filed as of that day provided that they are in compliance with the Court's Local Rules and the Federal Rules of Procedure.

C. TELEPHONE NUMBERS

1. The main telephone number of the Clerk's Office is (202) 354-3000. The automated phone system contains general information about the Clerk's Office, Court Operations, Attorney Admissions, Personnel, and Finance and Naturalization.
2. When possible, please use the direct phone number when calling an individual in the Clerk's Office; it is the most direct way of reaching someone. Unless otherwise authorized, attorneys and pro se filers should not contact the chambers of a Judge.
3. The phone number for the Case Management/Electronic Case Filing (CM/ECF) Helpline is (202) 354-3190 for civil and miscellaneous cases. Questions regarding criminal cases should be directed to (202) 354-3060.

II. GENERAL FILING REQUIREMENTS

A. CASE MANAGEMENT/ELECTRONIC CASE FILING SYSTEM

1. Effective January 31, 2001, all Civil cases were converted to the Case Management/Electronic Case Filing (CM/ECF) system, making paper documents nearly obsolete. Except as otherwise provided in LCVR 5.4 and this supplement, *all* civil documents to be filed with the Court *must* be filed by electronic means in portable document format (PDF). In the event you have difficulty filing your document, you may deposit a disk or CD in our speedy filing box. (Attachment A)
2. Miscellaneous cases are also to be filed electronically using the CM/ECF system..
3. Additional information regarding CM/ECF is available on the Court's website at www.dcd.uscourts.gov/ecf-info.html.

B. OBTAINING AND USING ELECTRONIC FILING LOGIN AND PASSWORD

1. An attorney must obtain a CM/ECF login and password from the Clerk's Office in order to file documents with the Court or to receive copies of opinions and orders of the Court. [LCVR 5.4(b)]
2. Attorney/Participant Registration Forms are available on the Court's website at www.dcd.uscourts.gov/ecf-registration.pdf. (Attachment B)

C. WHO MAY APPEAR, FILE PAPERS AND PRACTICE

1. Attorneys who are members in good standing of the bar of this Court may appear, file documents and practice provided they comply with LCVR 83. [LCVR 83.2]
2. For other practices relating to who may appear and file, please refer to all subsections of LCVR 83.2.

D. RENEWAL OF MEMBERSHIP IN THE U.S. DISTRICT COURT BAR

1. Each member of the bar of this Court is required to renew his or her membership pursuant to LCVR 83.9(a), every third year on or about July 1 by completing the renewal form approved by this Court. (Attachment C)
2. The Clerk's Office will notify members of this certification requirement at least 60 days before the date for filing the certificate of renewal. [LCVR 83.9(a)]
3. The cost of renewal is \$25.00. Failure to renew will result in the provisional removal of the attorney from the list of members in good standing. The name of the attorney will be restored to the list of members in good standing upon the filing of the required certificate and payment of the delinquent fee within five years after the due date. After five years has passed without renewal, the attorney's name will be permanently removed from the roll, without prejudice to an application for admission as a new member. [LCVR 83.9(b) and (c)]

E. NAME AND ADDRESS OF PARTIES AND ATTORNEYS

1. The first filing by or on behalf of a party must have in the caption the name and full residence address of each party. (*Note: A P.O. Box number is not an appropriate address.*)
2. All filings must contain the name, address, telephone number and DC bar identification number of the attorney.
3. Changes of address must be filed with the Clerk's Office within 10 days of the change. [LCVR 83.15(c)] (Attachment D)

F. DOCUMENTS EXEMPT FROM THE CM/ECF SYSTEM

1. There are some exceptions to the rule that all documents must be filed electronically using the CM/ECF system. They include exhibits or attachments that (A) exceed 500 pages; or (B) are not in a format that readily permits electronic filing, such as large maps, charts, video tapes, and similar materials; or (C) are illegible when scanned into electronic format; or (D) are filed under seal. Documents such as these must be served by mail or by hand delivery, unless counsel has otherwise agreed, and must be identified in an electronically filed Notice of Filing. [LCVR 5.4(e)]
2. In addition, there are a number of specific documents that attorneys are unable to file using the CM/ECF system. These documents can only be filed by a member of the Clerk's Office staff. The following civil documents cannot be filed by attorneys:
 - a. Complaints
 - b. Amended Complaints
 - c. Crossclaims (unless filed as part of an Answer)
 - d. Counterclaims (unless filed as part of an Answer)
 - e. Third-Party Complaints (unless filed as part of an Answer)
 - f. Intervenor Complaints (unless filed as part of a Motion)
 - g. Motions to Intervene
 - h. Motions for Leave to File an Amicus Curiae Brief
3. Any documents that fall under the exceptions above should be filed with the Clerk's Office in one of three ways:
 - a. by email in PDF to:
 - (1) Civil: dcd_cmecf@dcd.uscourts.gov
 - (2) Miscellaneous: dcd_cmecf_ms@dcd.uscourts.gov (Only if case is being filed electronically); or
 - b. on a floppy or compact disk in portable document format (PDF); or
 - c. in paper, if the item is not formatted for scanning.

G. FORM OF DOCUMENTS

1. Any filings made in paper must be two-hole punched at the top and properly bound with a staple or two-prong fastener. Paper filings should be unfolded and without a back or front cover. All documents, regardless of volume, should be one-sided, double-spaced, and formatted on white paper, 8 ½ x 11 inches in size. Any disk that is submitted should be properly labeled with the case number and contents.
2. All subsequent filings must contain the case number, name or initials of the judge assigned to the case, and the name or initials of the magistrate judge to whom the case has been referred. (Attachment E)
3. All exhibits and attachments must also be marked with the case number and judge's initials . [LCVR 5.1(f)]

H. FILING DOCUMENTS UNDER SEAL

1. Documents that are to be filed under seal pursuant to a protective order must be filed **in paper and on a disk** in the Clerk's Office during regular business hours only (Monday-Friday, 9:00 a.m.-4:00 p.m.). **Sealed documents must not be filed in the speedy drop box at the entrance of the courthouse, nor filed electronically.** [LCVR 5.1(j)]
2. If it becomes necessary to file documents under seal, please place them in an **unsealed** envelope clearly marked with the warning **UNDER SEAL**. The warning should also be placed on the first page of the pleading in the area of the civil action number. **Compliance with this provision is required.** Members of the press have access to all public records. Failure to advise the Clerk's Office regarding the sensitivity of a pleading, will result in it being placed on the public docket.

III. FILING CIVIL ACTIONS

A. CIVIL COVER SHEET

1. The entire Civil Cover Sheet (Attachment F) must be completed for every new civil action tendered for filing.
2. The Civil Cover Sheet requires the signature of an attorney who is an active member of the bar of this Court. Please be sure the form is completed fully and correctly.

B. SUMMONS

1. A summons for each defendant named in the caption of the complaint may be issued at the time of filing. In cases with multiple defendants, the caption on each summons must be the same (i.e., JONES, et al v. SMITH, et al). There is an area on the summons which will request information regarding each individual defendant. Summons are available on the Court's website at www.dcd.uscourts.gov/new-case-forms.html. (Attachment G)
2. A summons must be served within 120 days or the case may be dismissed as to that particular defendant. [FRCP 4(m)]
3. The Clerk will issue as many summons as requested. However, summons will not be signed and sealed for an attorney's personal file.
4. When suing a United States Government agent or agency, the United States Attorney General and the United States Attorney for D.C. must be served with a copy of the summons and complaint. [FRCP 4(i)]
5. Service of the summons may be waived. This provision allows the plaintiff to notify the defendant of the commencement of the action and a request the defendant to waive service of a summons. [FRCP 4(d)]

C. CERTIFICATE RULE 7.1

1. The Certificate Rule 7.1, or Certificate of Disclosure of Corporate Affiliations and Financial Interests, is required in each action wherein a party is a corporation. The certificate is used to determine the need for recusal.
2. The certificate must be tendered with the party's initial filing. [LCVR 7.1]

D. TEMPORARY RESTRAINING ORDERS AND PRELIMINARY INJUNCTIONS

1. Each application for a temporary restraining order or preliminary injunction must be accompanied by points and authorities and a proposed order. In addition, these motions must be made in a document separate from the complaint.
2. Notice must be given to the opposing party(s) prior to making application for a temporary restraining order. [LCVR 65.1(a)]
3. Temporary restraining orders are assigned in the same fashion as any civil action. If the assigned judge is unavailable, and there is an urgent need for a hearing, the Motions Judge for the month will be contacted.

E. FILING FEES

1. The filing fee for all new civil actions is \$350.00, and for all new miscellaneous cases is \$46.00.
2. The filing fee may be paid in cash, or by check or money order. Checks and money orders must be made payable to the *Clerk, U.S. District Court*.
3. There is no filing fee for motions.
4. Additional fees are mentioned throughout this supplement.

IV. ASSIGNMENT OF CASES

A. HOW CASES ARE ASSIGNED

1. Each new civil action is assigned using our automated case assignment system. For the new case clerk to complete the assignment, you must be sure to select the appropriate case category on the Civil Cover Sheet. [LCVR 40.2(b)]
2. Each Miscellaneous case shall be assigned randomly to judges of this Court. [LCVR 40.3(a)]
3. If the action you are filing is related to a pending case or a previously dismissed case, you must complete the Related Case Form. The form asks you to describe the relationship between the new action and the pending or dismissed action. Those actions that are related will be assigned to the judge assigned to the earlier case. [LCVR 40.5] (Attachment H)
4. Should the parties consent, actions may be referred for all purposes to a magistrate judge. The consent form must be signed by all parties and submitted to the Clerk's Office. [LCVR 73.1] (Attachment I)

V. FILING SUBSEQUENT CIVIL PLEADINGS

A. PROBLEMS WITH THE CM/ECF SYSTEM

1. Any documents that cannot be filed by an attorney via the CM/ECF system due to technical difficulties should be filed with the Clerk's Office either on disk or by email in PDF format as described in Section II.F.

B. CERTIFICATES OF SERVICE

1. Electronic filing of any document operates to effect service of the document on counsel or pro se parties who have obtained CM/ECF logins and passwords. Counsel or parties who have not yet obtained CM/ECF logins and passwords must serve and be served as otherwise provided in FRCP 5(b).
2. The requirement of a certificate or other proof of service is satisfied by the automatic notice of filing sent by the CM/ECF software to counsel or pro se parties who have obtained CM/ECF logins and passwords. A separate certificate or other proof of service showing that a paper copy was served on a party or counsel is required when that party or counsel does not receive electronic notification of filings. [LCVR 5.4(d)]

C. ORDERS STRIKING PLEADINGS

1. The Clerk's Office does not return pleadings that are not in compliance with the Federal Rules of Civil Procedure or the Local Rules of this Court.
2. Generally, defective pleadings may be stricken from the record, or a judge might deny a request for leave to file a document. In both cases, a notation will be made on the docket to alert counsel and parties of the outcome.

D. ORDERS FOR FILING DISCOVERY MATERIAL

1. The Clerk's Office will not take discovery materials for filing unless the judge specifically enters an order directing the Clerk to file discovery materials. [LCVR 5.2(a)]
2. For cases filed prior to May 18, 1994, with case numbers earlier than 94cv1094, the old discovery rule applies.

E. NOTICES OF APPEAL AND INTERLOCUTORY APPEAL

1. A Notice of Appeal or Interlocutory Appeal can now be filed by an attorney using the CM/ECF system. Instructions on how to file a Notice of Appeal or Interlocutory Appeal, including how to pay the filing fee by credit card, can be found at the following link: <http://www.dcd.uscourts.gov/ecf-info.html>.
2. The fee for filing such notices is \$455.00.
3. For more information, see Rule 3 of Title II of the Circuit Rules for the U.S. Court of Appeals for the D.C. Circuit.

VI. ISSUANCE OF SUBPOENAS

A. WHO MAY ISSUE SUBPOENAS

1. Pursuant to the provision of FRCP 45(a)(3), attorneys, as officers of the Court, may issue and serve their own subpoenas. While the Clerk still has the power to issue subpoenas, most subpoenas are issued by counsel.

B. SUBPOENAS FROM ANOTHER DISTRICT

1. Issuance of subpoenas from another district court for the purpose of taking depositions, commonly referred to as foreign subpoenas, are issued in the same manner as noted above.

C. SEAL REQUIREMENT

1. The requirement that each subpoena carry the seal of the Court has been abolished.

VII. REGISTRATION OF FOREIGN JUDGMENTS

A. PAPERS REQUIRED FOR CERTIFICATION OF JUDGMENT FORM (AO 451) TO REGISTER IN THIS COURT

1. A Certification of Judgment form (AO 451), completed by the Clerk's Office where the judgment was entered, certifying that the judgment is ripe for registration in a foreign court, namely, this Court. (Attachment J)
2. A certified copy of the judgment must be attached to the Certification of Judgment form.
3. There is a fee of \$46.00 for each foreign judgment registered in this Court from another district court. These cases are filed in this Court as a new Miscellaneous case.

B. PREPARING A CERTIFICATION OF JUDGMENT FORM (AO 451) TO REGISTER AT ANOTHER COURT

1. Obtain a certified copy of the judgment from the Office of Files and Copies in Room 1225. Copies may be obtained between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday.
2. Leave the judgment with a deputy clerk to prepare the Certification of Judgment form.
3. The fees are:
 - a. Copying: \$.50 per page for paper documents, \$.10 per page for electronic documents
 - b. Certification of document: \$11.00
 - c. Certification of Judgment Form: \$11.00

VIII. REVIEWING RECORDS AND OBTAINING COPIES

A. REVIEWING RECORDS

1. Official Court records for cases that were filed in paper, may be viewed in the Files and Copy Room in Room 1225 between 9:00 a.m. and 4:00 p.m., Monday through Friday, except legal holidays. Any electronic cases can be viewed 24 hours a day through the CM/ECF system while using a PACER (Public Access to Court Electronic Records) login and password.
2. For access to PACER, please call the National PACER Billing Center at 1-800-676-6856, or visit the website at <http://pacer.uscourts.gov>. (Attachment K)
3. The paper files in the Clerk's Office may not be removed from this area. Anyone wishing to view a file will be required to complete a charge-out card which provides accountability for the charged-out file.

B. OBTAINING COPIES OF PLEADINGS

1. Any pleadings found in the public file may be copied. Someone on the Files and Copy Room staff will do the copying when the request is for less than 20 pages in length. The fee is \$.50 per page for paper documents, \$.10 per page for electronic documents.
2. Certification of copies will be provided by Clerk's Office staff. The certification fee is \$11.00 per document certified.

IX. OBTAINING INFORMATION FROM THE CLERK'S OFFICE

A. BY TELEPHONE

1. Because of the tremendous number of requests for case information, coupled with reduced staffing, we no longer provide specific case information to callers from Washington, D.C., or the immediate surrounding areas. We invite callers to come to the Clerk's Office to conduct a search and encourage them to use PACER as described in Section VIII.A.
2. Requests for case information from out-of-town callers are limited to the three most recent entries.

B. BY LETTER OR FAX

1. Correspondence to the Clerk's Office is answered within five business days, dependent upon the complexity of the request.
2. There is a \$30.00 fee for each name search requested.

C. IN PERSON

1. The Clerk's Office is open to the public from 9:00 a.m. to 4:00 p.m., Monday through Friday, except legal holidays. All public paper records are available for inspection during those hours.
2. Case information and docket sheets, whether filed in paper or electronically, can be accessed and printed via the public terminals located in Room 1225. The copy fee is \$.50 per page for paper documents, and \$.10 per page for electronic documents. In addition, old party or case information can be found on microfiche. There is a microfiche printer for those items to be copied. The copy fee for microfiche documents is \$.50 per page. Archived or closed cases can be accessed via public terminals.
3. If anyone is interested in copying a docket sheet from the public terminal and that case has more than 50 pleadings listed on its docket, please advise the Files and Copy Room staff *before* printing. Docket sheets of 50 or more pleadings must be printed overnight because it significantly slows down the system for other users.

PART II: GENERAL COURT INFORMATION

I. GENERAL PROCEDURES AND PRACTICES

A. SCHEDULING AND CONTINUANCES OF IN-COURT MATTERS

- 1.. When possible, become familiar with an individual judge's procedures for requesting a continuance of a scheduled matter. If the procedures of a particular judge cannot be determined, please call the courtroom deputy assigned to that judge. The courtroom deputy will be knowledgeable of the judge's practices.
2. If in doubt regarding how to move for a continuance, file a motion. Depending on a judge's practice, some courtroom deputies can continue scheduled matters without a motion and some cannot. Keep in mind that judges may handle various procedures differently.
3. Whenever a matter is scheduled by the Court, please make every attempt to adhere to the set schedule.

B. CONTACTING COURTROOM DEPUTIES

1. Each judge has assigned to him or her a courtroom deputy to handle a myriad of duties, one of which is case management.
2. Because courtroom deputies are in court regularly, it may be difficult to reach them by phone. Please leave a clear and concise voice mail message and the courtroom deputy will return the call. There are many things that courtroom deputies cannot do at the last moment, so plan ahead and contact them early if there is a problem.

C. INDIVIDUAL CALENDAR SYSTEM

1. When a case is filed, it is randomly assigned to a judge. Once the assignment has been made, the case remains with the assigned judge until there has been a resolution to the matter. In the event the assigned judge is unavailable to hear the case, or even a particular portion thereof, a request may be made for the case to be heard by the Motions Judge.
2. There are no set days scheduled for motions hearings. All hearings, conferences, and trials are scheduled by the judge to whom the case is assigned. Matters referred to a magistrate judge are scheduled by the magistrate judge.
3. An application with the Court for a continuance of a hearing, conference, or trial should not be made until notice has been given to all parties.

D. EXHIBITS

1. Exhibits offered at trial must display in a prominent place the case number and judge's initials. Exhibit stickers may be obtained from any courtroom deputy.
2. Exhibit lists should be prepared prior to coming to Court.

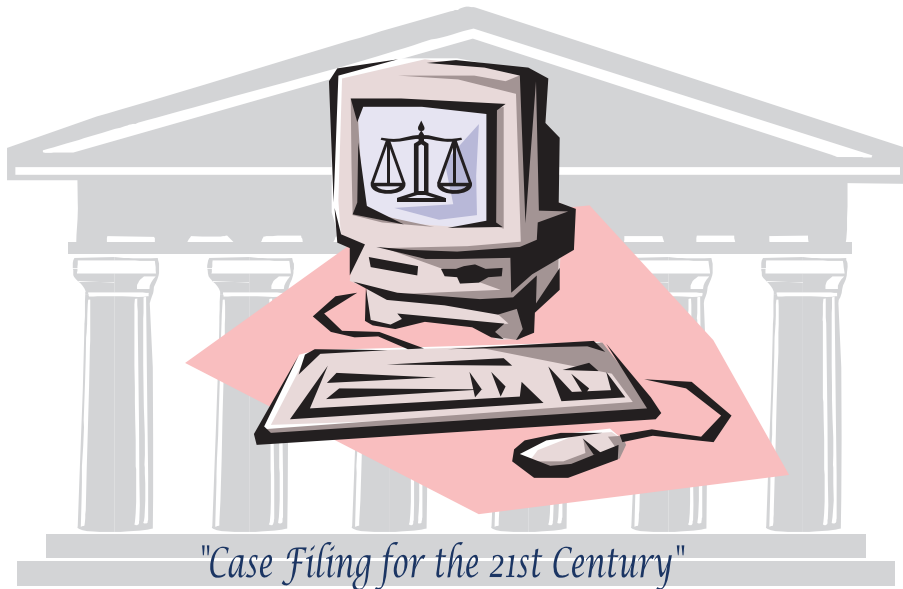
E. CONDUCT AND PRACTICES IN THE COURTROOM

1. When arriving at Court, please be sure to check in with both the courtroom deputy and the court reporter. The courtroom deputy needs the information for the judge and the court reporter needs the information to ensure that the transcript is accurate.
2. Identify yourself at the podium. Most judges and court reporters prefer that you speak at the podium and into the microphone.
3. Be on time. If an attorney is going to be unexpectedly late for, or absent from, any scheduled appearance before any judge, the judge's courtroom deputy must be contacted. Please provide the nature and duration of the conflicting engagement. The Court may take appropriate disciplinary action when an attorney fails to conduct himself or herself in accordance with the requirements and obligations of this Court's Local Rules. [LCVR 85.15]
4. Attorneys are expected to have a calendar with them at all times when in Court.



UNITED STATES
DISTRICT COURT
FOR THE
DISTRICT OF COLUMBIA

CM/ECF Electronic Case Filing Is Here



- **File electronically via the Internet**
- **Retrieve documents electronically via the Internet**
- **Review all case information from the Internet**
- **Notify parties electronically via EMail**
- **Receive Orders electronically via EMail**

All District Court case filings were converted to CM/ECF on October 27, 2003

- ◆ **Go to the ECF website and schedule ECF training**
- ◆ **Complete and FAX an ECF registration form to (202) 354-3023**
- ◆ **Download the ECF User's Manual from the ECF website and read it**
- ◆ **Run the ECF tutorial from the ECF website**
- ◆ **Contact PACER at 1-800-676-6856 or <http://pacer.psc.uscourts.gov> to establish a PACER account**
- ◆ **Begin using the Electronic Case Filing system**

ECF HELPLINE: Civil: (202) 354-3190 Criminal: (202) 354-3060
ECF WEBSITE: <http://www.dcd.uscourts.gov/ecf.html>

ATTACHMENT B

United States District Court For The District of Columbia

ELECTRONIC CASE FILES ATTORNEY/PARTICIPANT REGISTRATION FORM

LIVE SYSTEM

This form shall be used to register for an account on the Court's Electronic Case Files (ECF) system. Registered attorneys and other participants will have privileges both to electronically submit documents, and to view and retrieve electronic docket sheets and documents for all cases assigned to the Electronic Case Files system.

The following information is required for registration:

If you are appointed pro bono or pro hac vice, please provide the case number:

First Name/Middle Initial/Last Name: _____

Last four digits of Social Security Number: _____

DC Bar ID#: _____

Firm Name: _____

Firm Address _____

Voice Phone Number: _____

FAX Phone Number: _____

Internet E-Mail Address: _____

By submitting this registration form, the undersigned agrees to abide by the following rules:

1. This system is for use only in cases permitted by the ***U.S. District Court for the District of Columbia***. It may be used to file and view electronic documents, docket sheets, and notices. Please visit the Court's ECF Internet Website to schedule training.
2. Pursuant to Federal Rule of Civil Procedure 11, every pleading, motion, and other paper (except list, schedules, statements or amendments thereto) shall be signed by at least one attorney of record or, if the party is not represented by an attorney, all papers shall be signed by the party. An attorney's/participant's password issued by the court combined with the user's identification, serves as and constitutes the attorney's/participant's

signature. Therefore, an attorney/participant must protect and secure the password issued by the court. If there is any reason to suspect the password has been compromised in any way, it is the duty and responsibility of the attorney/participant to immediately notify the court. This should include the resignation or reassignment of the person with authority to use the password. The Court will immediately delete that password from the electronic filing system and issue a new password.

3. An attorney's/participant's registration will not waive conventional service of a summons and complaint, subpoena, or other judicial process; submit the client to the jurisdiction of the Court; or operate as a consent to accept service of pleadings, documents, and orders in actions in which such attorney/participant has not entered an appearance. An attorney's/participant's registration will constitute a waiver in law only of conventional service of other non-process pleadings, documents, and orders in the case. The attorney/participant agrees to accept, on behalf of the client, service of notice of the electronic filing by hand, facsimile or authorized e-mail.
4. Upon receipt of your login and password, you are strongly encouraged to change your password, which may be done through the Utilities function, to a name easily recalled. You may be subjected to a fee, should the Clerk's Office have to create a new password for you, or alternatively, you may be required to appear in person to receive your new password.
5. Attorneys must be active members of the bar of this Court, or government attorneys who are employed or retained by the United States, or who have been permitted to proceed pro hac vice, must file pleadings electronically.
6. Whenever a filer's e-mail address changes, the user agrees to update their ECF profile to show the new e-mail address. The system is robust enough to permit counsel to change their own e-mail address within the ECF System. Effective December 9, 2008, pursuant the directions from the Court's Information Technology Committee, the Clerk's Office will no longer monitor bounced e-mails.
7. Login & Passwords will be issued within 48 business hours of being received in the Clerk's Office.

Please return this form via E-mail: ecf_login@dcd.uscourts.gov
Fax: Files & Intake (202) 354-3524
or Mail: U.S. District Court for the District of Columbia
Attn: Attorney Admissions
333 Constitution Avenue NW, Room 1225
Washington, DC 20001

Applicant's Signature: _____

Full Last Name

Initial of
First Name

Last 4 Digits SS#

**UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA
ATTORNEY CERTIFICATION**

In compliance with Local Rule 83.9(a) AND LCrR 57.21.1, all attorneys who are members in good standing of the bar of this Court, AND/OR, government attorneys eligible to practice by virtue of LCvR 83.2(e) or (f)/LCrR 44.1(e), must submit this certification and hereby certify that he/she:

**(MANDATORY FOR ATTORNEYS WHO ARE MEMBERS OF THE BAR OF THIS COURT)
(OPTIONAL FOR ATTORNEYS WHO WISH TO MAINTAIN A 'GOVERNMENT' STATUS)**

1. is familiar with the current version of the Federal Rules of Civil Procedure, the Federal Rules of Evidence, the Local Rules of this Court, the Rules of Professional Conduct as adopted by the District of Columbia Court of Appeals, and the D.C. Bar Voluntary Standards for Civility in Professional Conduct, adopted by the Bar on June 18, 1996; **and/or**
2. is familiar with the current version of the Federal Rules of Criminal Procedure, the Sentencing Guidelines, the Federal Rules of Evidence, the Local Rules of this Court, and the Code of Professional Conduct as adopted by the District of Columbia Court of Appeals. (Attorneys who appear in criminal cases.)

In compliance with Local Rule 83.2(b) or LcrR 44.1(b), an attorney who wishes to appear as sole or lead counsel in a contested evidentiary hearing or trial on the merits further certifies that he/she:

(CHECK ALL ITEMS THAT APPLY)

3. has previously acted as sole or lead counsel in a federal district court or the Superior Court of the District of Columbia or a state trial court of general jurisdiction in a contested jury or bench trial or other contested evidentiary hearing in which testimony was taken in open court and an order or other appealable judgment was entered. [LCvR 83.2(b)(1)/LCrR 44.1(b)(1)]; **OR**
4. has participated in a junior capacity in an entire contested jury or bench trial in a federal district court or the Superior Court of the District of Columbia or a state trial court of general jurisdiction. [LCvR 83.2(b)(2)/LCrR 44.1(b)(2)]; **OR**
5. has satisfactorily completed a continuing legal education trial advocacy course of at least 30 hours sponsored by the District of Columbia Bar or accredited by a State Bar. [LCvR 83.2(b)(3)/LCrR 44.1(b)(3)]

In consideration of LCvR 83.10(a) and 83.11, the undersigned applicant certifies that he/she:

(OPTIONAL)

6. has read LCvR 83.10(a) and understands that members in good standing of the bar of this Court have an obligation to assist or represent the needy in civil matters before this Court whenever requested by the Court and if necessary, without compensation. I have read LCvR 83.11 and understand that the Court has established a voluntary Civil Pro Bono Panel from which attorneys may be appointed by the Court to represent indigent pro se litigants. I have indicated below whether I would like to receive additional information regarding the Court's Civil Pro Bono Panel.

Please Send

Do Not Send

I declare under penalty of perjury that the foregoing is true and correct.

DATE

SIGNATURE OF ATTORNEY

ATTORNEY ADDRESS and/or NAME CHANGE REQUEST**UNIT REPRESENTATIVE:**

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SYSTEMS OFFICE:

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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

<hr/>)	
JOHN DOE)	
)	
	Plaintiff(s),)	
)	
v.)	Civil Case No. 04-1058 (RBW/JMF)
)	
ABC COMPANY)	
)	
	Defendant(s).)	
<hr/>)	

MOTION

CIVIL COVER SHEET

JS-44

(Rev. 2/11 DC)

I (a) PLAINTIFFS (b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF (EXCEPT IN U.S. PLAINTIFF CASES) (c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)	DEFENDANTS COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT (IN U.S. PLAINTIFF CASES ONLY) NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED ATTORNEYS (IF KNOWN)
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II. BASIS OF JURISDICTION (PLACE AN x IN ONE BOX ONLY)	III CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN x IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT) <u>FOR DIVERSITY CASES ONLY!</u> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 35%;"></th> <th style="width: 10%; text-align: center;">PTF</th> <th style="width: 10%; text-align: center;">DFT</th> <th style="width: 35%;"></th> <th style="width: 10%; text-align: center;">PTF</th> <th style="width: 10%; text-align: center;">DFT</th> </tr> </thead> <tbody> <tr> <td>1 U.S. Government Plaintiff</td> <td></td> <td></td> <td>Citizen of this State</td> <td style="text-align: center;">1</td> <td style="text-align: center;">1</td> </tr> <tr> <td>2 U.S. Government Defendant</td> <td></td> <td></td> <td>Citizen of Another State</td> <td style="text-align: center;">2</td> <td style="text-align: center;">2</td> </tr> <tr> <td>3 Federal Question (U.S. Government Not a Party)</td> <td></td> <td></td> <td>Citizen or Subject of a Foreign Country</td> <td style="text-align: center;">3</td> <td style="text-align: center;">3</td> </tr> <tr> <td>4 Diversity (Indicate Citizenship of Parties in item III)</td> <td></td> <td></td> <td>Incorporated or Principal Place of Business in This State</td> <td style="text-align: center;">4</td> <td style="text-align: center;">4</td> </tr> <tr> <td></td> <td></td> <td></td> <td>Incorporated and Principal Place of Business in Another State</td> <td style="text-align: center;">5</td> <td style="text-align: center;">5</td> </tr> <tr> <td></td> <td></td> <td></td> <td>Foreign Nation</td> <td style="text-align: center;">6</td> <td style="text-align: center;">6</td> </tr> </tbody> </table>		PTF	DFT		PTF	DFT	1 U.S. Government Plaintiff			Citizen of this State	1	1	2 U.S. Government Defendant			Citizen of Another State	2	2	3 Federal Question (U.S. Government Not a Party)			Citizen or Subject of a Foreign Country	3	3	4 Diversity (Indicate Citizenship of Parties in item III)			Incorporated or Principal Place of Business in This State	4	4				Incorporated and Principal Place of Business in Another State	5	5				Foreign Nation	6	6
	PTF	DFT		PTF	DFT																																						
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2 U.S. Government Defendant			Citizen of Another State	2	2																																						
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			Incorporated and Principal Place of Business in Another State	5	5																																						
			Foreign Nation	6	6																																						

IV. CASE ASSIGNMENT AND NATURE OF SUIT

(Place a X in one category, A-N, that best represents your cause of action and one in a corresponding Nature of Suit)

A. Antitrust 410 Antitrust	B. Personal Injury/ Malpractice 310 Airplane 315 Airplane Product Liability 320 Assault, Libel & Slander 330 Federal Employers Liability 340 Marine 345 Marine Product Liability 350 Motor Vehicle 355 Motor Vehicle Product Liability 360 Other Personal Injury 362 Medical Malpractice 365 Product Liability 368 Asbestos Product Liability	C. Administrative Agency Review 151 Medicare Act <u>Social Security:</u> 861 HIA ((1395ff) 862 Black Lung (923) 863 DIWC/DIWW (405(g) 864 SSID Title XVI 865 RSI (405(g) <u>Other Statutes</u> 891 Agricultural Acts 892 Economic Stabilization Act 893 Environmental Matters 894 Energy Allocation Act 890 Other Statutory Actions (If Administrative Agency is Involved)	D. Temporary Restraining Order/Preliminary Injunction Any nature of suit from any category may be selected for this category of case assignment. *(If Antitrust, then A governs)*
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E. General Civil (Other)	OR	F. Pro Se General Civil
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<u>Real Property</u> 210 Land Condemnation 220 Foreclosure 230 Rent, Lease & Ejectment 240 Torts to Land 245 Tort Product Liability 290 All Other Real Property <u>Personal Property</u> 370 Other Fraud 371 Truth in Lending 380 Other Personal Property Damage 385 Property Damage Product Liability	<u>Bankruptcy</u> 422 Appeal 28 USC 158 423 Withdrawal 28 USC 157 <u>Prisoner Petitions</u> 535 Death Penalty 540 Mandamus & Other 550 Civil Rights 555 Prison Condition <u>Property Rights</u> 820 Copyrights 830 Patent 840 Trademark <u>Federal Tax Suits</u> 870 Taxes (US plaintiff or defendant 871 IRS-Third Party 26 USC 7609	<u>Forfeiture/Penalty</u> 610 Agriculture 620 Other Food & Drug 625 Drug Related Seizure of Property 21 USC 881 630 Liquor Laws 640 RR & Truck 650 Airline Regs 660 Occupational Safety/Health 690 Other <u>Other Statutes</u> 400 State Reapportionment 430 Banks & Banking 450 Commerce/ICC Rates/etc. 460 Deportation	462 Naturalization Application 465 Other Immigration Actions 470 Racketeer Influenced & Corrupt Organizations 480 Consumer Credit 490 Cable/Satellite TV 810 Selective Service 850 Securities/Commodities/Exchange 875 Customer Challenge 12 USC 3410 900 Appeal of fee determination under equal access to Justice 950 Constitutionality of State Statutes 890 Other Statutory Actions (if not administrative agency review or Privacy Act
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G. Habeas Corpus/ 2255 530 Habeas Corpus-General 510 Motion/Vacate Sentence	H. Employment Discrimination 442 Civil Rights-Employment (criteria: race, gender/sex, national origin, discrimination, disability age, religion, retaliation) *(If pro se, select this deck)*	I. FOIA/PRIVACY ACT 895 Freedom of Information Act 890 Other Statutory Actions (if Privacy Act) *(If pro se, select this deck)*	J. Student Loan 152 Recovery of Defaulted Student Loans (excluding veterans)
K. Labor/ERISA (non-employment) 710 Fair Labor Standards Act 720 Labor/Mgmt. Relations 730 Labor/Mgmt. Reporting & Disclosure Act 740 Labor Railway Act 790 Other Labor Litigation 791 Empl. Ret. Inc. Security Act	L. Other Civil Rights (non-employment) 441 Voting (if not Voting Rights Act) 443 Housing/Accommodations 444 Welfare 440 Other Civil Rights 445 American w/Disabilities- Employment 446 Americans w/Disabilities- Other	M. Contract 110 Insurance 120 Marine 130 Miller Act 140 Negotiable Instrument 150 Recovery of Overpayment & Enforcement of Judgment 153 Recovery of Overpayment of Veteran's Benefits 160 Stockholder's Suits 190 Other Contracts 195 Contract Product Liability 196 Franchise	N. Three-Judge Court 441 Civil Rights-Voting (if Voting Rights Act)

V. ORIGIN

1 Original Proceeding	2 Removed from State Court	3 Remanded from Appellate Court	4 Reinstated or Reopened	5 Transferred from another district (specify)	6 Multi district Litigation	7 Appeal to District Judge from Mag. Judge
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VI. CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE.)

VII. REQUESTED IN COMPLAINT	CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23	DEMAND \$	Check YES only if demanded in complaint	
		JURY DEMAND:	YES	NO

VIII. RELATED CASE(S) IF ANY (See instruction) **YES** **NO** If yes, please complete related case form.

DATE SIGNATURE OF ATTORNEY OF RECORD

INSTRUCTIONS FOR COMPLETING CIVIL COVER SHEET JS-44
Authority for Civil Cover Sheet

The **JS-44** civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. Listed below are tips for completing the civil cover sheet. These tips coincide with the Roman Numerals on the Cover Sheet.

- I.** COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF/DEFENDANT (b) County of residence: Use 11001 to indicate plaintiff is resident of Washington, D.C.; 88888 if plaintiff is resident of the United States but not of Washington, D.C., and 99999 if plaintiff is outside the United States.
- III.** CITIZENSHIP OF PRINCIPAL PARTIES: This section is completed only if diversity of citizenship was selected as the Basis of Jurisdiction under Section II.
- IV.** CASE ASSIGNMENT AND NATURE OF SUIT: The assignment of a judge to your case will depend on the category you select that best represents the primary cause of action found in your complaint. You may select only one category. You must also select one corresponding nature of suit found under the category of case.
- VI.** CAUSE OF ACTION: Cite the US Civil Statute under which you are filing and write a brief statement of the primary cause.
- VIII.** RELATED CASES, IF ANY: If you indicated that there is a related case, you must complete a related case form, which may be obtained from the Clerk's Office.

Because of the need for accurate and complete information, you should ensure the accuracy of the information provided prior to signing the form.

UNITED STATES DISTRICT COURT

for the

_____ District of _____

Plaintiff

v.

Defendant)
)
)
)
)
)
)

Civil Action No.

SUMMONS IN A CIVIL ACTION**To:** *(Defendant's name and address)*

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

ANGELA D. CAESAR, CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*: _____
_____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

NOTICE OF DESIGNATION OF RELATED CIVIL CASES PENDING
IN THIS OR ANY OTHER UNITED STATES COURTCivil Action No. _____
(To be supplied by the Clerk)NOTICE TO PARTIES:

Pursuant to Rule 40.5(b)(2), you are required to prepare and submit this form at the time of filing any civil action which is related to any pending cases or which involves the same parties and relates to the same subject matter of any dismissed related cases. This form must be prepared in sufficient quantity to provide one copy for the Clerk-s records, one copy for the Judge to whom the cases is assigned and one copy for each defendant, so that you must prepare 3 copies for a one defendant case, 4 copies for a two defendant case, etc.

NOTICE TO DEFENDANT:

Rule 405(b)(2) of this Court requires that you serve upon the plaintiff and file with your first responsive pleading or motion any objection you have to the related case designation.

NOTICE TO ALL COUNSEL

Rule 405(b)(3) of this Court requires that as soon as an attorney for a party becomes aware of the existence of a related case or cases, such attorney shall immediately notify, in writing, the Judges on whose calendars the cases appear and shall serve such notice on counsel for all other parties.

The plaintiff, defendant or counsel must complete the following:

I. RELATIONSHIP OF NEW CASE TO PENDING RELATED CASE(S).

A new case is deemed related to a case pending in this or another U.S. Court if the new case: [Check appropriate box(es) below.]

- (a) relates to common property
- (b) involves common issues of fact
- (c) grows out of the same event or transaction
- (d) involves the validity or infringement of the same patent
- (e) is filed by the same pro se litigant

2. RELATIONSHIP OF NEW CASE TO DISMISSED RELATED CASE(ES)

A new case is deemed related to a case dismissed, with or without prejudice, in this or any other U.S. Court, if the new case involves the same parties and same subject matter.

Check box if new case is related to a dismissed case:

3. NAME THE UNITED STATES COURT IN WHICH THE RELATED CASE IS FILED (IF OTHER THAN THIS COURT):

4. CAPTION AND CASE NUMBER OF RELATED CASE(E-S). IF MORE ROOM IS NEED PLEASE USE OTHER SIDE.

v.

C.A. No.

DATE

Signature of Plaintiff /Defendant (or counsel)

**UNITED STATES DISTRICT AND BANKRUPTCY COURTS
FOR THE DISTRICT OF COLUMBIA**

Plaintiff(s))	
)	
v.)	Civil Action No.: _____
)	
)	
)	
Defendant(s))	

**CONSENT TO PROCEED BEFORE
A UNITED STATES MAGISTRATE JUDGE FOR ALL PURPOSES**

In accordance with the provisions of 28 U.S.C. § 636(c)(3), the parties to the above-captioned civil matter, by and with the advice of their counsel, hereby voluntarily waive their rights to proceed before a District Judge of the United States District Court and consent to have a United States Magistrate Judge conduct any and all further proceedings in the case, including trial.

Attorney for the Plaintiff(s)	Date
-------------------------------	------

Attorney for the Defendant(s)	Date
-------------------------------	------

NOTICE: The foregoing Consent by Counsel shall be accepted upon the understanding that all counsel have secured the consent of their respective clients to the Consent and Referral to a United States Magistrate Judge or all purposes.

ORDER OF REFERENCE

IT IS HEREBY ORDERED that the above-captioned matter be referred to a United States Magistrate Judge for all further proceedings and the entry of judgment in accordance with 28 U.S.C. § 636(c)(3) and the foregoing consent of the parties.

United States District Judge	Date
------------------------------	------

NOTE: RETURN THIS FORM TO THE CLERK OF THE COURT ONLY IF ALL PARTIES HAVE CONSENTED TO PROCEED BEFORE A UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT

for the

_____ District of _____

_____)	
<i>Plaintiff</i>)	
v.)	Civil Action No.
_____)	
<i>Defendant</i>)	

CLERK’S CERTIFICATION OF A JUDGMENT TO BE REGISTERED IN ANOTHER DISTRICT

I certify that the attached judgment is a copy of a judgment entered by this court on *(date)* _____ .

I also certify that, as appears from this court's records, no motion listed in Fed. R. App. P. 4(a)(4)(A) is pending before this court and that no appeal has been filed or, if one was filed, that it is no longer pending.

Date: _____

ANGELA D. CAESAR, CLERK OF COURT

Signature of Clerk or Deputy Clerk

PACER Service Center Services Available to the Court and the Public

- External users of CM/ECF, e-filing attorneys and query-only PACER customers, must have a PACER login. The easiest way to obtain a PACER login is to register at the PACER Service Center's website at <http://pacer.uscourts.gov>. Customers need to complete an online form to obtain the login and password. Customers can gain access to PACER within the hour by registering on-line using a credit card. For those who choose not to provide a credit card, the registration process will take several days, because the login and password are sent via U.S. mail. Customers can also provide the PACER Service Center with a credit card to automatically charge their outstanding fees each quarter.
- The PACER Service Center offers online password retrieval for those customers who lose or misplace their PACER password. However, customers must provide the PACER Service Center with certain security information prior to losing a password through the "Account Information" section of the above website.
- Billing logs are available to customers via the Internet website. The PACER Service Center collects billing logs from each CM/ECF site on a monthly basis. Shortly after collection, the billing logs are loaded on the PACER Service Center website where customers can view them. The PACER Service Center website has the ability to sort the logs in a number of ways to allow the customers to easily track charges. The PACER Service Center sends quarterly invoices to all customers with outstanding charges over \$10.
- The PACER Service Center Internet site is an excellent source for information. An entire section of the site (<http://pacer.uscourts.gov/cmecf>) is focused on CM/ECF. There are links to all CM/ECF court site, CM/ECF training modules, and documents that provide general information about the CM/ECF project and its implementation status.
- The PACER Service Center generates and provides to bankruptcy courts a Duplicate SSN/TIN Report. Report output includes the duplicate SSN/TINs, the case number associated with the SSN, the debtor name, the court code for the case, the date it was filed and the chapter. The first line of data for each set of matching SSN/TINs contains the information for the court that is being processed. The subsequent lines for the matching SSN/TINs provides information for matches found in other courts. The PACER Service Center also provides a report that identifies duplicate SSNs for cases that have recently converted to a different chapter.
- The PACER Service Center maintains a J-Net site, which is available at <http://pspsc.psc.dcn/epa/>. This site provides courts with a wealth of information about the Electronic Public Access program.
- The PACER Service Center manages the U.S. Party/Case Index - a national locator system for cases filed in federal courts.
- Usage reports are available under the "PACER-Net Program" button. The reports provide information to courts on who is using the PACER systems and how much they are using it.
- A new feature on the J-Net site helps courts review their exempt usage reports. The report shows the specific transactions for an exempt user. Click the "View Exempt Transaction Details" button to use this new option.
- A court may request a toll-free line (which is funded by EPA fee revenue) for its local CM/ECF help desk. The forms is accessible under the "Telecommunications Program" button from the main EPA J-Net page, and then under the "Request for Inward Station Access (toll free)" button.